

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
 Plaintiff,) 4:00CR3070
)
)
 v.)
)
)
CORDELL RAY SIMMS,) ORDER
)
)
 Defendant.)
)

This matter is before the Court on defendant's motion for sentence reduction pursuant to 18 U.S.C. § 3582(c)(2) (Filing No. 70). Pursuant to the retroactive amendment to the cocaine base guidelines, the defendant's final offense level is reduced from 38 to 36. His criminal history category remains at III. The Court finds that his sentence should be reduced to two hundred thirty-five (235) months imprisonment, considering the prior computation of specific offense characteristics, adjustments, and departures. Accordingly,

IT IS ORDERED:

- 1) Said motion to reduce sentence is granted; the sentence of the defendant is reduced to two hundred thirty-five (235) months. He shall receive credit for time served.

2) The conditions of supervised release entered in the original judgment and committal order remain in full force and effect.

DATED this 26th day of January, 2010.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court